UNITED
NATIONS

E

Economic and Social
Council

Distr.
LIMITED

E/CN.4/1997/L.71
9 April 1997

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 18

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Bulgaria, Canada, Denmark, France, Germany, Italy, Latvia*, Norway*, Portugal*, Republic of Korea, Romania*, South Africa, Spain* and Sweden*: draft resolution

1997/... Assistance to Somalia in the field of human rights

The Commission on Human Rights,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and other relevant human rights instruments,

Recalling its resolution 1996/57 of 19 April 1996, in which it invited the independent expert to study ways and means of how best to implement, at the earliest possible date, a programme of advisory services for Somalia, upon request, inter alia through the contributions of agencies and programmes of the United Nations currently in the field, aimed at re-establishing respect for human rights and the rule of law and strengthening the police and the judicial and the prison systems in Somalia, in a manner consistent with internationally accepted criminal justice standards,

---

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Noting with concern that the breakdown of governmental authority in Somalia has exacerbated the grave situation of human rights in the country,

Welcoming all efforts aimed at improving the humanitarian situation in Somalia, such as those of agencies and programmes of the United Nations, other humanitarian organizations and non-governmental organizations,

Recognizing that the people of Somalia have the principal responsibility for their national reconciliation process and that they are the ones to decide freely on their political, economic and social systems but, as stated by the independent expert, that the international community should not abandon them in this tragic period of their national history,

Noting with appreciation the efforts of concerned countries and organizations, in particular the Organization of African Unity, the Intergovernmental Authority on Drought and Development, the League of Arab States and the Organization of the Islamic Conference, to promote a direct political dialogue,

Affirming the need for a peaceful process leading to the disarming of factions, political reconciliation and the re-establishment of effective government committed to the promotion and protection of human rights,

Deeply concerned at reports of arbitrary and summary executions, torture and other cruel, inhuman or degrading treatment or punishment and violence against women and children, and at the absence of an effective judicial system essential to ensure the right to a fair trial in accordance with international standards,

Deploring continued attacks, acts of reprisal, abductions and other acts of violence committed against personnel of humanitarian organizations and non-governmental organizations and representatives of the international media in Somalia, sometimes resulting in serious injury or death,

Recognizing the negative impact that the current situation is having on neighbouring countries, in particular through refugee outflows,

Noting that, under the prevailing circumstances, it has been extremely difficult for the independent expert to fulfil her mandate as envisioned by the Commission,

Believing nonetheless that the High Commissioner/Centre for Human Rights should be in a position, through its programme of advisory services and technical assistance, to reinforce any positive political developments in Somalia by providing assistance, including to the police and the judicial and penal systems as well as to other institutions for the promotion and protection of human rights,

1. Takes note with appreciation of the report of the independent expert (E/CN.4/1997/88 and Corr.1) and in particular of its conclusions and recommendations;

2. Calls upon all parties to the conflict in Somalia to work towards a peaceful solution to the crisis;

3. Strongly urges all parties in Somalia to respect human rights and international humanitarian law pertaining to internal armed conflict, to support, as recommended by the independent expert, the re-establishment of the rule of law throughout the country, in particular by applying internationally accepted criminal justice standards, and to protect United Nations personnel, humanitarian relief workers and representatives of non-governmental organizations and of the international media;

4. Calls upon regional organizations and concerned countries to continue and intensify the efforts aimed at facilitating the national reconciliation process in Somalia, aware of the fact that the peaceful coexistence of all parties and groups is an important foundation for the respect of human rights;

5. Calls upon individual donor countries, international organizations and non-governmental organizations to incorporate human rights principles and objectives into the humanitarian and development work they carry out in Somalia and to cooperate with the independent expert;

6. Requests the independent expert to report on the human rights situation in Somalia to the Commission at its fifty-fourth session, in particular on the basis of a detailed assessment of the means necessary to establish a programme of advisory services and technical assistance through, inter alia, the contribution of agencies and programmes of the United Nations in the field, as well as of the non-governmental sector;

7. Requests the Secretary-General to provide the independent expert with all necessary assistance in discussing her mandate and to provide adequate resources, from within existing overall United Nations resources, to

fund the activities of the independent expert and the High Commissioner/Centre for Human Rights for the implementation of advisory services and technical assistance;

8. Invites Governments and organizations in a position to do so to respond positively to requests by the Secretary-General for assistance in the implementation of the present resolution;

9. Decides to continue consideration of the question at its fifty-fourth session under the same agenda item.